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Texas Farmers Sue Over 'Forever Chemicals' in Sewage Sludge Fertilizer

The lawsuit alleges two Texas farm families were "poisoned by toxic chemicals" after a neighboring farmer took a shipment of "smoking" piles of biosolids that contained hazardous per- and polyfluoroalkl substances, or PFAS, in late 2022.

By The New Lede

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By Shannon Kelleher

Two Texas farm families have seen their health decline, their pets and livestock sickened and killed, their water poisoned and their property values wiped out due to high levels of chemical contamination linked to a company marketing treated sewage sludge as a fertilizer and soil conditioner, according to a lawsuit filed by the families.

The lawsuit alleges the plaintiffs' farms, located near Fort Worth, were "poisoned by toxic chemicals" after a neighboring farmer took a shipment of "smoking" piles of biosolids that contained hazardous per- and polyfluoroalkl substances (PFAS) in late 2022.

The PFAS-laced fertilizer was allegedly made by Synagro of Texas-CDR Inc., using semi-solid treated waste obtained from wastewater facilities. The waste, referred to as biosolids, has been promoted as an effective means for turning sewage into useful agricultural applications that can boost crop yields.

The biosolids are supposed to be treated to remove toxins, but PFAS chemicals are difficult — if not impossible — to break down, and are known to persist in the environment.

Sometimes called "forever chemicals," several types of PFAS are known to be hazardous to human health, including some linked to cancers.

Synagro is one of the largest in the biosolids industry and knew, or should have known, that its biosolid products contained PFAS, according to the lawsuit, which was filed last week in Maryland, where Synagro is headquartered.

Synagro did not respond to a request for comment. On its website, the company calls itself a "partner for a cleaner, greener world" and says it works to "protect the health of the water, our Earth and those who depend on them now and for the future."

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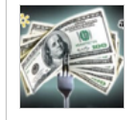
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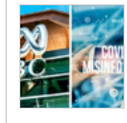
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The lawsuit highlights a story that is becoming all too common across the U.S. as PFAS contamination has been uncovered in other farms across the U.S. in recent years, including more than 60 farms in Maine, which in 2022 became the first state to ban the use of sewage sludge as fertilizer due to the contamination.

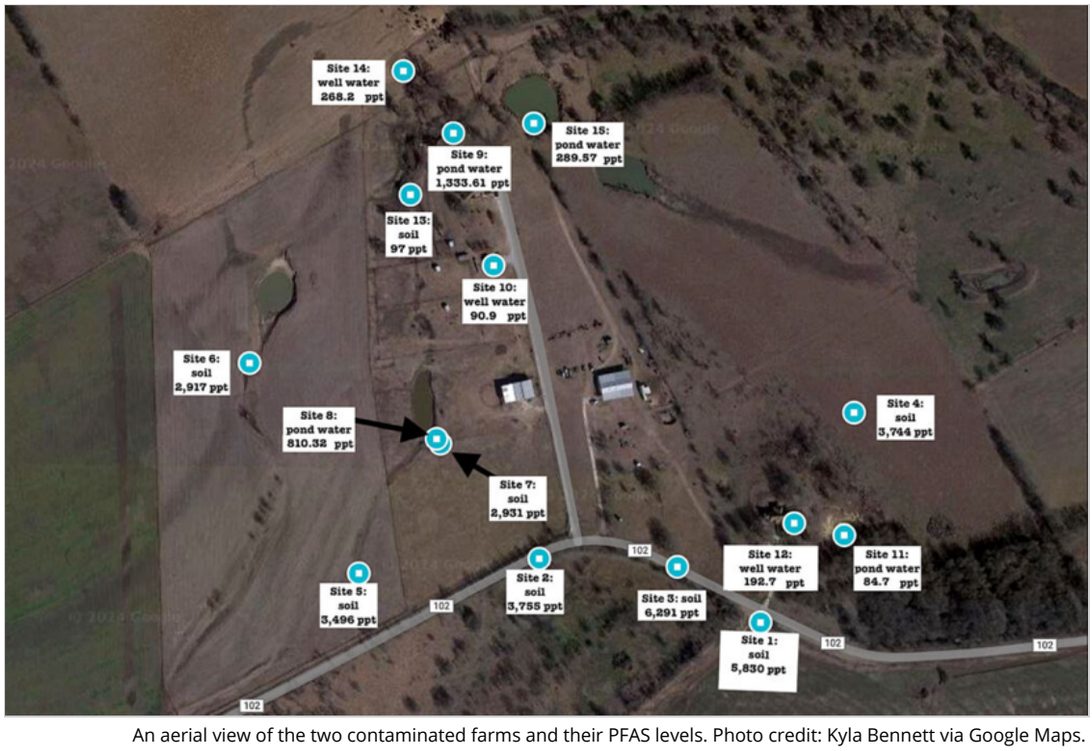
A 300-acre Michigan farm was shut down due to PFAS contamination in cattle, land and water from tainted fertilizer, while in 2018 a New Mexico dairy farmer was forced to euthanize his herd of more than 3,600 cows due to groundwater contamination from nearby Cannon Air Force Base.

Suffering daily losses

Widely used in consumer goods and industry since the 1940s, PFAS includes nearly 15,000 synthetic chemicals that build up in living tissue and can endanger health.

PFAS have been used by a variety of industries to make such things as electronics, paints, fire-fighting foams, cleaning products and non-stick cookware.

Researchers have found PFAS contaminating water, soil, food and even the bodies of humans and animals around the world.



An aerial view of the two contaminated farms and their PFAS levels. Photo credit: Kyla Bennett via Google Maps.

In their lawsuit, the Texas farm families allege that after the fertilizer was applied to their neighbor's land, soil and water testing discovered exceedingly high levels of PFAS contaminating the farms.

The drinking well on one of the farms found PFAS at 90.9 parts per trillion (ppt), while the drinking water on the other farm found PFAS at 268.2 ppt, according to the Washington, D.C,-based watchdog group Public Employees for Environmental Responsibility (PEER).

Such levels are much higher than levels that concern U.S. regulators.

The farmers allege that since the contamination, they've experienced a range of medical problems, including high blood pressure, heart and breathing issues that may be linked to PFAS exposure. One of the plaintiffs last year was diagnosed with a mass compressing her spinal canal.

They also say they've seen their animals become ill and die. Among the animals that have died on one of the plaintiffs' farms are "dogs, horses, a newborn bull calf, fish in their stock ponds … peacocks, ducks, chickens, guineas, and cranes," the lawsuit alleges.

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Two dead calves on one of the plaintiffs' farms showed high levels of PFAS in their tissue, the lawsuit alleges, as did fish that were tested.

"They are suffering significant daily economic losses due to the inability to market their cattle or beef or hay and may have to euthanize their entire herd, a crushing and emotional task, especially since, at the time of this Complaint, seventy-three heifers are pregnant," the lawsuit states.

Synagro did not provide any warnings about the potential for PFAS contamination from land application of its biosolids fertilizer, nor did the company "take any precautionary measures to prevent or mitigate such pollution," the lawsuit alleges.

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An ongoing investigation

The farmers reported their concerns to the Texas Commission on Environmental Quality and Johnson County Constable's Office when they first noticed piles of biosolids on their neighbor's property.

The county launched an investigation shortly after receiving the complaints, sharing what it has discovered so far at a Feb. 16 public presentation at the Johnson County Courthouse.

"Alarmingly, there is little to no resolve to [the two families] as to the impact to their property because it is at best devastating," said Constable Troy Fuller, whose office conducted the investigation, during the presentation.

PEER said it assisted with the county's investigation in contracting with a private laboratory to test the farms for contamination.

Among the findings, according to PEER, were very high levels of a type of PFAS called perfluorooctanesulfonic acid (PFOS), which an international cancer research group recently concluded is possibly carcinogenic to humans.

The county has opened a criminal investigation into Synagro, according to PEER.

Synagro makes about 26,500 tons of fertilizer from sewage sludge (biosolids) in Fort Worth each year and says it works with about 1,000 water and wastewater facilities across North America.

PEER estimates that more than 1.1 million dry metric tons of biosolids are applied to agricultural fields, based on 2021 U.S. regulatory data.

"This lawsuit against Synagro will likely be the first of many," said Kyla Bennett, director of science policy for PEER.

In March 2023, the EPA proposed drinking water limits of 4 parts per trillion for PFOS and perfluorooctanoic acid (PFOA), as well as limits for four other PFAS chemicals.

The agency also recently proposed updating the definition of hazardous waste in a waste cleanup law to include PFAS.

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Shannon Kelleher is a reporter for The New Lede.

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Rex Vestri
2 months ago

What is disgusting is that biosolids are considered "organic". So that organic spring mix you buy in order to avoid pesticides/herbicides might have been grown in biosolids.

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Steven Berge
2 months ago

Again, the regulatory agencies are purposely asleep at the wheel. Big money ownership of decision making is the enemy of the people. Until the unions, churches, social organizations, friends and families come together and organize massive general strikes and massive protests, nothing will change for the better. We will need a clearly written demand that will end the rule by wealth system though. Move to Amend has such a written document called HJR 54 but it will never be allowed to pass by those in control. Also check out Alliance for Just Money, because the central banking scam is the engine of wealth concentration.

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